

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No. 8:03-CR-77-T-30TBM

HATEM NAJI FARIZ
_____ /

**MOTION FOR LEAVE TO FILE AMENDED MOTION FOR DISCLOSURE OF
MATERIALS RELATED TO SURVEILLANCE PURSUANT TO THE
FOREIGN INTELLIGENCE SURVEILLANCE ACT (“FISA”) AND
FOR SUPPRESSION OF THE FRUITS OF ALL SURVEILLANCE CONDUCTED
UNDER FISA AND MEMORANDUM OF LAW IN SUPPORT**

Defendant, Hatem Naji Fariz, by and through undersigned counsel, respectfully requests permission of this Honorable Court to file an amended motion for disclosure of materials related to surveillance pursuant to the Foreign Intelligence Surveillance Act (“FISA”) and for suppression of the fruits of all surveillance conducted under FISA and memorandum of law in support, for the purpose of correcting formatting and typographical errors. As grounds in support, Mr. Fariz states:

1. Mr. Fariz has submitted to the Court his Motion for Disclosure of Materials Related to Surveillance Pursuant to the Foreign Intelligence Surveillance Act (“FISA”) and for Suppression of the Fruits of All Surveillance Conducted under FISA and Memorandum of Law in Support. (Doc. 787).

2. Mr. Fariz seeks permission to file an amended motion to correct formatting and typographical errors. No substantive changes have been made.

WHEREFORE, Mr. Fariz respectfully requests permission to file an amended motion for disclosure of materials related to surveillance pursuant to the Foreign Intelligence Surveillance Act and for suppression of the fruits of all surveillance conducted under FISA and memorandum of law in support.

Respectfully submitted,

R. FLETCHER PEACOCK
FEDERAL PUBLIC DEFENDER

/s/ M. Allison Guagliardo
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Attorney for Defendant Fariz

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of November, 2004, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian; Bruce Howie, counsel for Ghassan Ballut; and to Stephen N. Bernstein, counsel for Sameeh Hammoudeh.

/s/ M. Allison Guagliardo
M. Allison Guagliardo
Assistant Federal Public Defender